



General Assembly

February Session, 2004

Raised Bill No. 5420

LCO No. 1474

01474_____ET_

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING ENERGY SECURITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) There is established
2 an Office of Energy Security which shall be responsible for developing
3 and coordinating policies to protect the public utility infrastructure.
4 Such office shall be within the Department of Public Utility Control for
5 administrative purposes only.

6 (b) The Governor, with the approval of the General Assembly, shall
7 appoint a person with experience in matters relating to securing public
8 facilities against sabotage or attack to serve as the director of the Office
9 of Energy Security. Said director shall serve for a term of five years.
10 Said director may, within available funds, appoint such staff as he or
11 she deems necessary. The General Assembly may annually
12 appropriate such sums as necessary for the payment of the salaries of
13 the staff and for the payment of office expenses and actual expenses
14 incurred by the Office of Energy Security.

15 (c) The Office of Energy Security may with regard to matters
16 relating to the safety and security of the public utility infrastructure:

17 (1) Appear in and participate in any regulatory or judicial
18 proceedings;

19 (2) Appeal from a decision, order or authorization in any state
20 regulatory proceeding, notwithstanding its failure to appear or
21 participate in said proceeding;

22 (3) Act as a liaison between the state, the federal government, the
23 regional independent system operator, as defined in section 16-1 of
24 the general statutes, as amended, and public service companies, as
25 defined in said section 16-1;

26 (4) Recommend changes in state and federal policies;

27 (5) Conduct programs of public education; and

28 (6) Organize industry-wide or regional efforts to coordinate security
29 measures.

30 Sec. 2. (NEW) (*Effective July 1, 2004*) Not later than October 1, 2004,
31 and biennially thereafter, each electric distribution company, as
32 defined in section 16-1 of the general statutes, as amended, shall
33 submit a report to the Department of Public Utility Control, regarding
34 its efforts, whether independent or in cooperation with other electric
35 distribution companies, to maintain access to replacement parts for its
36 facilities that are typically difficult to find, and to reduce redundancy
37 in the electric power grid.

38 Sec. 3. Subdivision (19) of subsection (b) of section 1-210 of the
39 general statutes, as amended by section 17 of public act 03-200 and
40 section 104 of public act 03-6 of the June 30 special session, is repealed
41 and the following is substituted in lieu thereof (*Effective October 1,*
42 *2004*):

43 (19) Records when there are reasonable grounds to believe
44 disclosure may result in a safety risk, including the risk of harm to any
45 person, any government-owned or leased institution or facility or any

46 fixture or appurtenance and equipment attached to, or contained in,
47 such institution or facility, except that such records shall be disclosed
48 to a law enforcement agency upon the request of the law enforcement
49 agency. Such reasonable grounds shall be determined (A) with respect
50 to records concerning any executive branch agency of the state or any
51 municipal, district or regional agency, by the Commissioner of Public
52 Works, after consultation with the chief executive officer of the agency;
53 (B) with respect to records concerning Judicial Department facilities,
54 by the Chief Court Administrator; and (C) with respect to records
55 concerning the Legislative Department, by the executive director of the
56 Joint Committee on Legislative Management. As used in this section,
57 "government-owned or leased institution or facility" includes, but is
58 not limited to, an institution or facility owned or leased by a public
59 service company, as defined in section 16-1, as amended, a certified
60 telecommunications provider, as defined in section 16-1, as amended, a
61 water company, as defined in section 25-32a, or a municipal utility that
62 furnishes electric, gas or water service, but does not include an
63 institution or facility owned or leased by the federal government, and
64 "chief executive officer" includes, but is not limited to, an agency head,
65 department head, executive director or chief executive officer. Such
66 records include, but are not limited to:

- 67 (i) Security manuals or reports;
- 68 (ii) Engineering and architectural drawings of government-owned
69 or leased institutions or facilities;
- 70 (iii) Operational specifications of security systems utilized at any
71 government-owned or leased institution or facility, except that a
72 general description of any such security system and the cost and
73 quality of such system, may be disclosed;
- 74 (iv) Training manuals prepared for government-owned or leased
75 institutions or facilities that describe, in any manner, security
76 procedures, emergency plans or security equipment;

77 (v) Internal security audits of government-owned or leased
78 institutions or facilities;

79 (vi) Minutes or records of meetings, or portions of such minutes or
80 records, that contain or reveal information relating to security or other
81 records otherwise exempt from disclosure under this subdivision;

82 (vii) Logs or other documents that contain information on the
83 movement or assignment of security personnel at government-owned
84 or leased institutions or facilities;

85 (viii) Emergency plans and emergency recovery or response plans;
86 [and]

87 (ix) With respect to a water company, as defined in section 25-32a,
88 that provides water service: Vulnerability assessments and risk
89 management plans, operational plans, portions of water supply plans
90 submitted pursuant to section 25-32d, as amended, that contain or
91 reveal information the disclosure of which may result in a security risk
92 to a water company, inspection reports, technical specifications and
93 other materials that depict or specifically describe critical water
94 company operating facilities, collection and distribution systems or
95 sources of supply; and

96 (x) A report submitted pursuant to section 2 of this act.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>

Statement of Purpose:

To create a new Office of Energy Security to address matters regarding the protection of the safety of the public utility infrastructure and to require electric distribution companies to submit an annual report to the Department of Public Utility Control regarding access to replacement parts and to reduce redundancy in the electric power

grid, which report will be excluded from the Freedom of Information Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]